

DISPOSITION OF BONUSES, RENTALS, ETC.

MARCH 3, 1925.—Ordered to be printed

MR. SNYDER, from the committee of conference, submitted the following

CONFERENCE REPORT

[To accompany S. 876]

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 876) to provide for the disposition of bonuses, rentals, and royalties received under the provisions of the act of Congress entitled "An act to promote the mining of coal, phosphate, oil, oil shale, gas, and sodium on the public domain," approved February 25, 1920, from unallotted lands in Executive order Indian reservations, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment, as follows: That the provisions of said act, approved February 25, 1920, shall apply to unallotted lands within Executive order Indian reservations, except as herein modified.

Sec. 2. That there is hereby authorized an appropriation of \$15,000 from the money on deposit in the Treasury to the credit of the Navajo Tribe of Indians derived from bonuses on oil and gas leases, and from oil and gas royalties for expenditure, in the discretion of the Secretary of the Interior, for necessary expenses in connection with the supervision of the development and operation of the oil and gas industry on the Navajo Indian Reservation in Arizona and New Mexico.

Sec. 3. That the provisions of this act shall not apply to the Five Civilized Tribes in Oklahoma.

And on page 2, line 2, of the Senate bill, after the word "be," insert: distributed as follows: $37\frac{1}{2}$ per centum shall be paid by the Secretary of the Treasury after the expiration of each fiscal year, in lieu of taxes, to the State within the boundaries of which the leased lands or deposits

are or were located, said moneys to be used by such State, or subdivisions thereof, for the construction and maintenance of public roads or for the support of public schools or other public educational institutions, as the legislature of the State may direct and 62½ per centum shall be; and the House agree to the same.

HOMER P. SNYDER,

CARL HAYDEN,

Managers on the part of the House.

J. W. HARRELD,

CHAS. L. McNARY,

HENRY F. ASHURST,

Managers on the part of the Senate

STATEMENT ON THE PART OF THE MANAGERS OF THE HOUSE

The amendment to the original text of the bill substitutes a definite share in the bonuses, rentals, and royalties from the oil, gas, coal, etc., for the right to tax the production of minerals granted to the State by the House amendment. The percentage to be paid to the State is the same as is now provided in the general leasing act from such minerals when produced on the public domain. There is no limitation in the House amendment upon the tax that might be levied except that it shall be general and the power to tax is the power to destroy.

The percentage to be deposited in the Treasury to the credit of the Indians is equal to a combination of the 10 per cent paid to the United States and the 52½ per cent paid into the reclamation fund as provided in the general leasing act. Out of the Indians' share of 62½ per cent Congress can make appropriations from time to time for all the expenses of administration. The Federal Government should not seek to make a profit from the Indians and they have a more equitable claim to the royalties than the reclamation fund.

The second amendment changes the House amendment and makes it certain that the general leasing act shall apply only to reservations created by Executive order and not to reservations established by treaty.

There is nothing in the act of February 25, 1920, which authorizes any land to be patented under any circumstances, so the words "except that such lands may only be leased and patents shall not be issued for the same," are unnecessary and superfluous.

The last amendment strikes out the taxing provision in the House amendment.

HOMER P. SNYDER,
CARL HAYDEN,
Managers on the part of the House.

STATEMENT ON THE PART OF THE MANAGER OF THE HOUSE

The amendment to the original text of the bill substitutes a definite clause in the houses, ranches and royalties from the oil, gas, coal, etc., for the right to tax the production of minerals owned by the State by the House amendment. The percentage to be paid to the State is the same as now provided in the general leasing act from such minerals when produced on the public domain. There is no limitation in the House amendment upon the tax that might be levied except that it shall be general and the power to tax is the power to

The percentage to be deposited in the Treasury to the credit of the Indians is equal to a combination of the 10 per cent paid to the United States and the 52½ per cent paid into the Indian share of the general leasing act. Out of the Indian share of 62½ per cent Congress may make appropriations from time to time for all the expenses of administration. The Federal Government should not seek to make a profit from the Indians and they have a more substantial right to the royalties than the Indian land.

The second amendment changes the House amendment and states that the general leasing act shall apply only to reservations created by Executive order and not to reservations established by treaty.

There is nothing in the act of February 25, 1920, which authorizes any land to be patented under any circumstances so the words "lands that may be patented" may only be leased and patents shall not be issued for the same, and unnecessary and superfluous.

The last amendment strikes out the leasing provision in the House amendment.

HONORABLE F. S. S. S.

U. S. SENATOR

MANAGER OF THE HOUSE